

REMARKS

Of claims 1-72, claims 1-2, 7, 9-22, 24-48, and 50 were withdrawn as drawn to non-elected inventions and claims 49, 51-55, 57 and 59-60 were canceled. Claim 56 has been allowed in the Office action of July 7, 2009.

Applicants herein cancel claims 1-48, 50, 58, and 61-72, without prejudice and reserve the right to prosecute the subject matter of the canceled claims in one or more related applications. Applicants also add new claims 73-75. The amendments are fully supported by the application as filed. Specifically, new claim 73 is directed to a dimeric fusion protein comprising two identical polypeptide chains, wherein each chain comprises the allowed amino acid sequence, SEQ ID No. 42. Dimeric fusion proteins are taught throughout the specification and originally-filed claims. New claims 74 and 75 are directed to pharmaceutical compositions comprising a pharmaceutically acceptable carrier and the polypeptide of the allowed claim or dimer thereof, respectively, reflecting subject matter encompassed by, *e.g.*, canceled claim 23. Accordingly, the new claims introduce no new matter.

Applicants also herein amend the title and abstract, to specifically mention "FcγRIIB." FcγRIIB is disclosed throughout the specification and accordingly these amendments to the specification also introduce no new matter.

Applicants respectfully request consideration and entry of these amendments. Upon entry of these amendments, allowed claim 56 and new claims 73-75 will be pending.

Objections to the Specification

The Examiner maintains the objection to the title and abstract of the instant specification for allegedly not clearly indicating the subject matter being examined, and suggests amendment to specifically mention FcγRIIB. Action at page 2. Without acquiescence, Applicants have amended the title and abstract to include reference to FcγRIIB, as indicated above.

Accordingly, Applicants respectfully request re-consideration and withdrawal of the specification objections.

Allowed Claim

Applicants acknowledge with thanks the Examiner's allowance of claim 56. Applicants further note that new claims 73-75 either depend directly from the allowed claim, or otherwise contain all claim limitations of claim 56.

Accordingly, Applicants respectfully request consideration, entry, and allowance of new claims 73-75.

The Rejections Under 35 U.S.C. § 112 and 103(a)

The Examiner rejected claims 3-6, 8, 23, and 65-72 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite; and rejected claim 58 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Action at pages 5-8. The Examiner also rejected claims 3-6, 8, 23 and 61-72 under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent 6,911,321 to Presta et al. in view of U.S. Patent 5,817,767 to Allaway et al. and further in view of U.S. Patent 6,737,056 to Presta. Action at page 9. Finally, the Examiner rejected claims 3-6, 8, 23 and 61-72 under 35 U.S.C. § 103(a) as allegedly obvious over International Publication WO 00/32767 to Sondermann et al., in view of Ashkenazi et al., 1997, *Curr. Opin. Immunol.* 9:195-200, in view of U.S. Patent 5,817,767 to Allaway et al., and further in view of U.S. Patent 6,737,056 to Presta. Action at pages 10-11.


Without acquiescing to the Examiner's contentions in any way, Applicants have canceled claims 3-6, 8, 23, 58, and 65-72, rendering the §§ 112 and 103 rejections moot.

CONCLUSION

Applicants respectfully request entry of the amendments and remarks made herein, and earnestly and respectfully request allowance of new claims 73-75. Applicants also wish to thank the Examiner for courtesies extended during telephone conversations of October 29 and November 5, 2009, regarding proposed claim amendments, and further respectfully invite the Examiner telephone the undersigned if any issues remain in connection with this application.

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Respectfully submitted,


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